

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The December 16, 2003 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

PRIOR ART REJECTIONS

In the Office Action, claims 1-6 and 11-12 are rejected under 35 USC 103(a) as being unpatentable over EP 0 875 374 A2 (Shimizu et al.) in view of USP 5,019,440 (Ogasawara et al.).

The present claimed invention as defined by claim 1 is directed to a decorative sheet which includes a base material layer formed of a colored resin material including an amorphous polyethylene terephthalate type resin as a main component, a print pattern layer formed on one surface of the base material layer consisting of a coloring ink comprising a binder including a copolymer of vinyl chloride and vinyl acetate as a main component, and a transparent layer laminated on the print pattern

layer consisting of a resin material including a transparent amorphous polyethylene terephthalate type resin as a main component.

In the Office Action, the Examiner asserts that EP 0 875 374 A2 (Shimizu et al.) discloses a decorative laminated sheet including a substrate layer of an amorphous polyethylene terephthalate (APET).

In the present claimed invention, a decorative sheet is defined as including a base material layer of an amorphous polyethylene terephthalate type resin, a print pattern layer including a coloring ink comprising a binder including a copolymer of vinyl chloride and vinyl acetate, and a transparent layer consisting of a transparent amorphous polyethylene terephthalate type resin. The Examiner notes that Shimizu et al. do not teach an ink layer comprising a binder of vinyl chloride/acetate copolymer.

The Examiner asserts, however, that Ogasawara et al. disclose a printed layer comprising a binder of vinyl chloride/acetate copolymer, and that it would have been obvious to combine Shimizu et al.'s base material and Ogasawara et al.'s binder.

Applicants respectfully point out, however, that the base material of Ogasawara et al. is polyurethane. Polyurethane has a carboxy group and vinyl acetate also has a carboxy group, and the binding characteristics between them can be anticipated. On the other hand, the binding properties between an APET and a copolymer of vinyl chloride and vinyl acetate is not anticipated. The combination of APET and a copolymer of vinyl chloride and vinyl acetate would not have been obvious to one of ordinary skill in the art at the time the invention was made based on the teachings of Shimizu et al. and Ogasawara et al.

That is, the present claimed invention as defined by amended claim 1 is patentable over the cited references because the references do not disclose, teach or suggest a decorative sheet including:

a base material layer formed of a colored resin material including an amorphous polyethylene terephthalate type resin as a main component; and/or

a print pattern layer formed on one surface of the base material including a colored ink comprising a binder including a copolymer of vinyl chloride and vinyl acetate as a main component (see claim 1, lines 2-9).

Claims 2-6 are either directly or indirectly dependent on claim 1 and are patentable over the cited references in view of their dependence on claim 1 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 2-6.

With regard to the rejection of claims 11-12, as acknowledged by the Examiner, there is no disclosure regarding the mixing of crystalline PE and APET in Shimizu et al. In Shimizu et al., the degree of crystallinity of the APET cannot be controlled. On the other hand, the degree of crystallinity of the APET is controlled by mixing crystalline PE and then the solvent resistance to solvents is improved. Shimizu et al. do not disclose, teach or suggest how to control the crystallinity of the polymeric structure.

Claims 11-12 are patentable over the cited references in view of their dependence on claim 1 and because the references do not disclose, teach or suggest each of limitations set forth in claims 11-12 as explained above.

NEW CLAIMS

New claims 13-16 are added to the present application. Each of claims 13-16 are independent claims which are patentable over

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the cited references for reasons, inter alia, set forth above in connection with claim 1.

CLAIM FEE

Submitted herewith is a check in the amount of \$172.00 for the addition of two (2) independent claims above the highest number of independent claims for which payment was previously made. If any additional fees are due or if any overpayment has been made, please charge or credit our Deposit Account No. 06-1378 for such sum.

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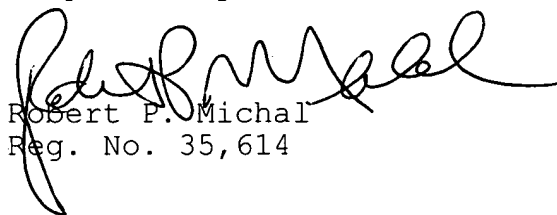
If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl.: Check in the amount of \$172.00
Petition for Extension of Time